N THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE

LISA K. DAY,		
)	
Plaintiff,)	
)	CASE NO. 2:01-CV-325
VS.)	
)	Judge Greer
INGLE'S MARKETS, INCORPORATED,)	
)	
Defendant.)	

NOTICE OF APPEAL

Notice is hereby given that the Defendant in the above named case hereby appeals to the United States Court of Appeals for the Sixth Circuit from the Judgment entered in this action on October 21, 2005 following a jury verdict in favor of Plaintiff, and from an Order entered on January 25, 2006 denying the Defendant's Renewed Motion for Judgment as a Matter of Law or, in the Alternative, for New Trial or for Remittitur.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the date below stated, a copy of the foregoing Notice of Appeal was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

This the 24th day of February, 2006.

s/Steven H. Trent (BPR # 16322) Attorney